

EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS, ET AL. § CIVIL NO. 4:20-CV-957-SDJ
§
v. §
§
GOOGLE LLC §

Transcript of Proceedings
Before David Moran
Special Master

Thursday, March 21, 2024; 11:31 a.m.
Plano, Texas

APPEARANCES

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1 SPECIAL MASTER MORAN: All right. We will
2 call the case the State of Texas, et al., versus
3 Google, LLC, in The United States District Court for
4 the Eastern District of Texas, Sherman Division, Case
5 Number 4:20-cv-957 before the Hon. Sean Jordan.
6 We have a hearing this morning before the Special
7 Master and I will ask for appearances from the
8 plaintiffs, beginning with Mr. Lanier.

9 MR. LANIER: Thank you, Special Master
10 Moran. Mark Lanier here. I've got -- well, y'all
11 introduce yourselves. I got Zeke's name wrong in
12 there, so heaven forbid I try that one again.

13 MR. DeROSE: Zeke DeRose, Lanier Law Firm.

14 MS. YOUNG: Geraldine Young with Norton
15 Rose Fulbright.

16 MR. HILLEGAS: Peter Hillegas with Norton
17 Rose Fulbright.

18 MR. COLLIER: Marc Collier with Norton Rose
19 Fulbright. I've been relegated to the back bench.

20 MR. WILKERSON: Jonathan Wilkerson, Lanier
21 Law Firm.

22 MR. YOUNG: Trevor Young, State of Texas.

23 MR. ALFORD: James Floyd just stepped out.
24 I am Roger Alford, Notre Dame.

25 SPECIAL MASTER MORAN: Thank you for the

1 MS. YOUNG: Well, I'm happy -- I have --
2 just want to give some context on 30(b)(6).

3 SPECIAL MASTER MORAN: I'd like to hear --
4 I'd like to hear from you, Ms. Young.

5 MS. YOUNG: Yeah, yeah.

6 MR. LANIER: He'd much rather hear from
7 you.

8 MS. YOUNG: I just want to put this in a
9 little context. So I -- endeavor -- we don't represent
10 all the states. We're going to go back. We're going
11 to wrangle them and see and get a proposal - right? -
12 on the table for -- to satisfy their information
13 requests, and whether that's through depo, and I think
14 there are reasonable alternatives as well.

15 There's one issue that I think differently
16 situates the states. Their witnesses would come from
17 each of the Attorney General offices, and there's
18 actually a body of law on this they're different than
19 private plaintiffs, as you can expect, and it is akin
20 to taking testimony of opposing counsel and there are
21 legal standards that govern that. So I think we'll put
22 this in our response to Google so they can see what the
23 law is, and there are obviously implications beyond
24 this case - right? - about deposing Attorney General
25 attorneys.

1 So that's just one -- one issue that we're
2 trying to deal with in providing them the information
3 they want and being reasonable and getting it done
4 quickly, but also, I mean, there are -- I think there's
5 significant privilege and work product concerns about
6 the topics they've noticed and trying to navigate that
7 and not putting, you know, the 17 states in a situation
8 where they're getting deposed on, you know, attorney
9 mental impressions and evaluations, and that just
10 wastes everyone's time I think, prepping for the depo,
11 taking the depo, coming to you complaining about the
12 depo. So I think we will endeavor to lay that out
13 ahead of time so both sides can come to a reasonable
14 compromise.

15 MR. YETTER: Special Master, we have -- we
16 made it very clear in all of our correspondence and in
17 the meet and confers we're not looking for mental
18 impressions, we're not looking for attorney
19 communications, we want the facts that they have
20 gathered, that they've learned, what they did. It's --
21 you know, the states can put up a lawyer as a 30(b)(6),
22 but they don't have to. We're not asking them to put
23 up someone from the Attorney General's office. We're
24 asking them for someone who has facts about their
25 claims. Each one of them we assume is making a

1 substantial claim in the millions of dollars for civil
2 penalties against Google and we're entitled to find out
3 what they know, the facts that they gathered.

4 We're also -- and I know you've heard this,
5 Special Master, but the alternative ways to answer some
6 of these 30(b)(6) topics, that's exactly what we've
7 been proposing to the states, like: Would a verified
8 written response on some of these issues, would it do;
9 would -- are there other alternatives so that we can
10 get you what you are looking for but we don't have to
11 prepare a witness on a vague topic that we don't know
12 whether or not they're going.

13 So we're prepared to do this, but again,
14 this is a goose and gander issue here. We need those
15 depositions as much as they need ours. And what the
16 Special Master just heard is by the end of the day
17 tomorrow, the states are saying it's just as imperative
18 that we get started; it's just as imperative for us.
19 We have 17 depositions to take in probably 17 different
20 states. It's going to take time. We need to get
21 started, we need to move forward, and while we are
22 prepared to do more conferring, it goes both ways. If
23 conferring's over from their perspective, then they
24 should be prepared to put their people up on the
25 topics.

1 50,000 lawyers. We'll go do it. And I think a lot of
2 people would enjoy going to South Dakota in February.

3 SPECIAL MASTER MORAN: Anything else from
4 the states on this issue?

5 MS. YOUNG: No, and I think what was left
6 on the table from our meet and confer was we were going
7 to get them a pretty practical proposal without, you
8 know, saving objections, right? It's not -- it's going
9 to be like, I don't know, a two-page letter just kind
10 of laying out what we think. So we will endeavor to do
11 that very quickly.

12 SPECIAL MASTER MORAN: I appreciate that.

13 MR. LANIER: We'll get the stuff by
14 5 o'clock tomorrow.

15 SPECIAL MASTER MORAN: Even better. Thank
16 you, Mr. Lanier.

17 MS. YOUNG: Maybe. Well, we have 17 states
18 to sign off. So.

19 MR. LANIER: Oh.

20 MS. YOUNG: We will try to.

21 MR. LANIER: I --

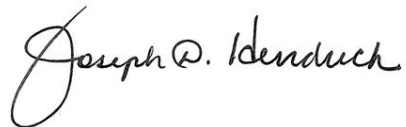
22 MS. YOUNG: I know. We will try to, but.

23 MR. YETTER: It would be nice to get that
24 proposal in time that we could update the Special
25 Master by 5 o'clock tomorrow. And I know that they

CERTIFICATE OF REPORTER

I, Joseph D. Hendrick, Texas CSR #947, to hereby
certify that the foredoing is a true and correct
transcript of the stenographically reported proceedings
held in the above-entitled matter.

Dated: March 26, 2024.



Joseph D. Hendrick, CSR #947

Expiration Date: 04/30/2025

Notary Comm. Exp. 02/13/27

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